[13th August 1954

Discharge of workers from the Malabar Tile Works, Cheruvannoor, Malabar.

* 1362 *Q.*—SRI K. P. GOPALAN : Will the Hon. the Minister for Agriculture be pleased to state—

(*a*) whether he has received representation to the effect that the proprietor of the Malabar Tile Works, Cheruvannoor, Malabar, has been dismissing workers from the factory recently when a labour dispute between the workers and the management is pending adjudication before the Appellate Tribunal;

(*b*) if so, how many workers have been so dismissed; and

(*c*) what steps the Government propose to take against the management for violating the Industrial Disputes Act?

THE HON. SRI M. BHAKTAVATSALAM :—" (*a*) Yes, Sir.

" (*b*) Seventy-six workers were discharged by the management in July 1953, 30 workers on 5th July 1953 and 46 workers on 23rd July 1953.

" (*c*) During the time of conciliation by the Labour Officer, the union did not tell him that they had filed an appeal before the Labour Appellate Tribunal. Only in November 1953, the management came to know that an appeal had been filed by the union before the Labour Appellate Tribunal. But since the discharge took place in July 1953, the management could not be said to have contravened the Industrial Disputes Act. Hence no action was taken."

SRI K. P. GOPALAN :—" During the period of conciliation, the labour representatives submitted that there was an appeal pending before the Labour Appellate Tribunal. That is no excuse for not taking action against the management. May I request the Hon. Minister for Labour that pending the decision of the Labour Appellate Tribunal, necessary instructions may be given to the Commisisoner of Labour to take action against those managements who have purposely violated the Industrial Disputes Act? "

THE HON. SRI M. BHAKTAVATSALAM :—" I have already stated that managements came to know of these appeals only in November 1953. About issuing necessary instructions to the Commissioner of Labour, let me say that Government have been issuing necessary instructions as and when necessary."

SRI K. P. GOPALAN :—" May I know from the Hon. Minister whether the workers were paid any compensation or wages during this period? "

THE HON. SRI M. BHAKTAVATSALAM :—" It is the Industrial Tribunal or the Labour Appellate Tribunal that has to decide the question of payment of compensation and wages. Government will take all appropriate action in the matter."